

### REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on May 16, 2006, and the references cited therewith. Applicant has amended claims 1-43 and canceled, without prejudice, claim 44. As a result, claims 1-43 are now pending in this application.

### ***Claim Rejections – 35 U.S.C. § 103***

The Examiner rejected claims 1-44 under 35 USC § 103(a) as being unpatentable over *Akatsu, et al.* (U.S. Patent 6,523,064) in view of *Raheman* (U.S. Patent 7,039,872) and *Henshaw* (U.S. Patent 6,040,833). As noted above, telephonic interviews were held on October 10, 2006 and October 12, 2006 between the Examiner and Applicant's representative. In these telephonic interviews, the rejections set forth in the May 16, 2006 Office Action were discussed. An agreement was reached regarding amendments that would place the claims in condition for allowance over the art of record. Applicant has amended the claims in accordance with that agreement. Applicant, however, reserves the right to pursue the original claim scope in a continuation application.

### ***Conclusion***

Applicant respectfully submits that the claims are in condition for allowance and requests notification to that. The Examiner is invited to telephone Applicant's attorney (360-554-8042) to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

Brake Hughes PLC

Date: October 16, 2006

By: \_\_\_\_\_

Paul W. Churilla

Reg. No. 47,495

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16th day of October, 2006.

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Shellie Bailey

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Signature